

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

VAHAN JALADIAN, No. CIV S-04-1304-LKK-CMK-P

Plaintiff,

ORDER

CRIBBS,

Defendant.

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is a request to vacate all upcoming dates (Doc. 100).

Defense counsel indicates the parties have reached a resolution in this matter, and requests that all currently set dates be vacated, and the parties be allowed to file a stipulation of voluntary dismissing within 120 days of the date of filing the request.

The request will be granted in part. The parties will be provided time, until September 24, 2009, to submit the settlement documents and request for voluntary dismissal. All currently set dates will be vacated, but a new trial date will be set. If the parties are able to finalize their settlement, and provide the court with the stipulated dismissal, the trial date will be

1 vacated. However, until the settlement documents are received by the court, this matter will
2 remain set for trial. The new trial date will be set for November 17, 2009, at 10:30 a.m.

3 In addition, Plaintiff filed a motion to quash prior just to the settlement conference
4 with Magistrate Judge Vadas in February 2009. The settlement conference date has passed,
5 Plaintiff appeared and refused to participate. Therefore, the motion to quash is moot.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Plaintiff's motion to quash (Doc. 95) is denied as moot;
- 8 2. All currently set dates in this matter are vacated;
- 9 3. The parties have until September 24, 2009 to file dispositional documents;
10 and
- 11 4. The trial date is reset to November 17, 2009, at 10:30 a.m. in Courtroom 4
12 before the Honorable Lawrence K. Karlton.

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14 DATED: June 8, 2009

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16 CRAIG M. KELLISON
17 UNITED STATES MAGISTRATE JUDGE
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